

REMARKS

The office action of August 15, 2006, has been carefully considered.

It is noted that claims 1, 5-10, 12 and 13-15 are rejected under 35 U.S.C. 102(b) over the patent to Thiel et al.

Claim 11 is rejected under 35 U.S.C. 103(a) over Thiel et al.

In view of the Examiner's rejections of the claims applicant has amended claim 1.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the reference.

Turning now to the reference, it can be seen that Thiel et al. disclose a floating-caliper spot-type disc brake for high-powered vehicles. Thiel et al. disclose a completely different brake concept than the presently claimed invention. The Thiel et al. construction has a completely different loading arrangement and is in a completely different field. Thiel et al. do not disclose unsymmetrically arranged centers of gravity in the

circumferential direction, as in the presently claimed invention.

Although the construction of Thiel et al. also intends to reduce vibration and noise during braking, they do not undertake an equalization/neutralization of the torques to unload the caliper guide or reducing of the brake mounting, as in the presently claimed invention. In Thiel et al. there are three guide pins 27, 30, 31 for mounting and axially guiding the caliper 1 (see column 5, lines 31-32).

Additionally, Thiel et al. describe, and show in Fig. 3, that there is no radial offset between the pads (see 35, 37 relative to 36). This is contrary to the presently claimed invention.

The Examiner believes that Thiel et al. show an offset between the centers of gravity. Applicant submits that the Examiner is not looking at the entire construction of Thiel et al., but instead is only considering a part thereof while disregarding the rest. In Thiel et al. the center 35 is in front of the center 36 and the center 37 is behind the center 36 in the circumferential direction. Since both pads 5, 7 are on the same side and are actuated simultaneously there is no counter-torque applied relative to the long pad 6, as in the present invention which opposes the torque on the side of the brake caliper connected to the axle. Thus, there is no real offset disclosed by

Thiel et al. as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 5-10, 12 and 13-15 under 35 U.S.C. 102(b) and the rejection of claim 11 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on August 14, 2006.

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